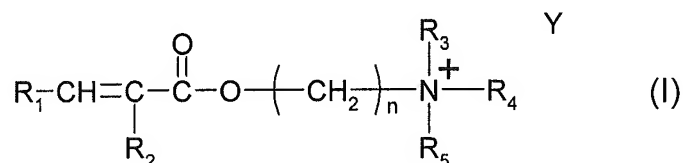


IN THE CLAIMS

The text of all claims under examination is submitted, and the status of each is identified. This listing of claims replaces all prior versions, and listings, of claims in the application.

1. **(currently amended):** A process of thickening a water- and/or oil based personal care composition for the preparation of a water- and/or oil based personal care composition by preparing a copolymer characterized in that an aqueous phase of the components
- (a) a cationic monomer of formula (I),



wherein

R₁ is hydrogen or methyl,

R₂ is hydrogen or C₁-C₄alkyl,

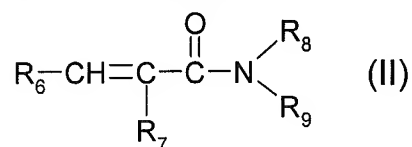
R₃, R₄ and R₅ are independently from each other hydrogen or C₁-C₄alkyl,

n is a integer from 1 – 5, and

Y is a counterion,

and

- (b) a monomer of formula (II)



wherein

R₆ signifies hydrogen or methyl,

R₇ signifies hydrogen or methyl, and

R₈ and R₉ signify independently from each other hydrogen or C₁-C₄alkyl,

with the proviso that ~~at least one of the substituents R₆, R₈ and R₉ is~~ are

C₁-C₄alkyl,

and

- (c) optionally at least one cross-linking agent, which contains at least two ethylenically unsaturated moieties is prepared;

an oil phase is prepared,
the aqueous and oil phase are mixed to form a water-in-oil emulsion,
the monomer components are polymerized to form a the copolymer, and
the formed copolymer is ~~cosmetically functional agents are added to the personal care~~
composition.

2. **(previously presented)** A process according to Claim 1 characterized in that the copolymer consists essentially of

20 – 95 wt-% of a monomer of formula (I) and of
5 – 50 wt-% of a monomer of formula (II).

3. **(previously presented)** A process according to Claim 1 characterized in that the copolymer consists essentially of

40 – 90 wt-% of a monomer of formula (I) and of
10 – 40 wt-% of a monomer of formula (II).

4. **(previously presented)** A process according to Claim 1 characterized in that the copolymer comprises 50 – 500 ppm of at least one cross-linking agent based on the total amount of the copolymer.

5. **(previously presented)** A process according to claim 1 characterized in that

R₁ is hydrogen or methyl,

R₂ is hydrogen or methyl,

R₃, R₄ and R₅ are independently from each other hydrogen or methyl,

n is an integer from 1 – 4, and

Y is Cl; Br; I; hydrogensulfate or methosulfate.

6. **(currently amended)** A process according to claim 1 characterized in that

R₆ signifies hydrogen or methyl,

R₇ signifies hydrogen or methyl, and

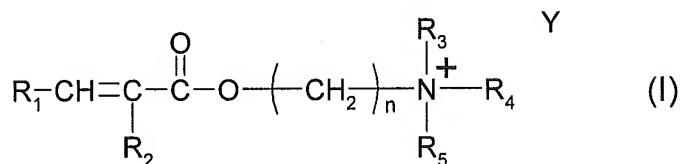
~~R₈ signifies hydrogen or methyl, and~~

~~R₉ signifies hydrogen or methyl,~~

with the proviso that ~~at least one of the substituents R₆, R₈ and R₉ is~~ are
methyl.

7. **(currently amended)** A process according to Claim 1, characterized in that the aqueous phase of components

(a) a cationic monomer of formula (I),



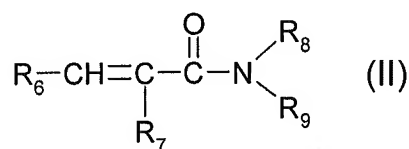
wherein

R₁, R₂, R₃, R₄ and R₅ are independently from each other hydrogen or methyl,

n is 1, 2 or 3, and

Y is a counterion, and

(b) a monomer of formula (II)



wherein

R₆ signifies hydrogen or methyl, R₇ signifies hydrogen or methyl,

~~R₈ signifies hydrogen or methyl, and~~

~~R₉ signifies hydrogen or methyl,~~

with the proviso that ~~at least one of the substituents R₆, R₈ and R₉~~ is are methyl, and

(c) optionally at least one cross-linking agent selected from the group consisting of tetra allyl ammonium chloride; allyl-acrylamides and allyl-methacrylamides; bisacrylamidoacetic acid and N,N'-methylene-bisacrylamide; is prepared .

8. **(previously presented)** A process according to Claim 7 characterized in that the copolymer consists essentially of

20 – 95 wt-% of a cationic monomer of formula (I),

and

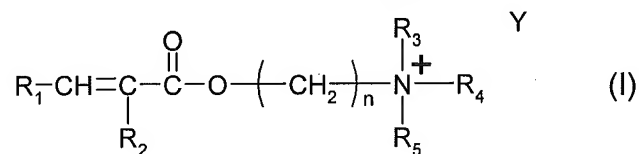
5 – 50 wt-% of a monomer of formula (II)

and

50 – 500 ppm (based on the total amount of monomers) of at least one compound selected from the group consisting of tetra allyl ammonium chloride; allyl-acrylamides and allyl-methacrylamides; bisacrylamidoacetic acid and N,N'-methylene-bisacrylamide .

9. **(previously presented)** A process according to Claim 1 characterized in that the aqueous phase of components

(a) 40 – 90 wt-% of a cationic monomer of formula (I),



wherein

R₁ and R₂ are hydrogen,

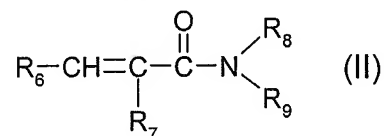
R₃, R₄ and R₅ are methyl,

n is 1, 2 or 3, and

Y is Cl; Br; I; hydrogensulfate or methosulfate,

and

(b) 10 – 40 wt-% of a monomer of formula (II)



wherein

R₆ and R₇ signify hydrogen,

R₈ and R₉ signify methyl,

and

(c) 100 – 300 ppm of tetra allyl ammonium chloride and/or N,N'-methylene-bisacrylamide is prepared.

10. **(cancelled)**

11. **(previously presented)** A process of preparing the composition according to claim 1 which composition comprises:

0.5 – 10 wt-% of the copolymer,

2 – 25 wt-% of at least one oil-component,

0 – 25 wt-% of at least one adjuvant and/or additive, and
water up to 100 wt-%.

12. **(previously presented)** A process of preparing the composition according to Claim 1, which composition comprises

0.5 – 10 wt-% of the copolymer,
50 – 99 wt-% of at least one oil-component, and
0 – 25 wt-% of at least one adjuvant and/or additive.

13. **(previously presented)** A process according to claim 5 characterized in that

R₁ is hydrogen,
R₂ is hydrogen,
R₃, R₄ and R₅ are methyl,
n is an integer from 1 – 4, and
Y is Cl; Br; I; hydrogensulfate or methosulfate.

14. **(previously presented)** A process according to claim 6 characterized in that

R₆ signifies hydrogen,
R₇ signifies hydrogen, and
R₈ signifies hydrogen or methyl, and
R₉ signifies hydrogen or methyl,
with the proviso that at least one of the substituents R₈ and R₉ is
methyl.

15. **(previously presented)** A process according to claim 8 characterized in that the copolymer consists essentially of

40 – 90 wt-% of a cationic monomer of formula (I),
and
10 – 40 wt-% of a monomer of formula (II)
and
100 – 300 ppm (based on the total amount of monomers) of at least one compound selected
from the group consisting of tetra allyl ammonium chloride and N,N'-methylene-bisacrylamide.

16.(new): The process according to claim 1, wherein the personal care composition is a hair care or skin care composition.

17. (new) The process according to claim 1, wherein the copolymer is crosslinked.